

RATTET PLLC  
Attorneys for the Debtor  
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UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In re:

175 LENOX RESTAURANT, LLC

Chapter 11  
Case No. 11-12490 (REG)

Debtor.  
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**DEBTOR'S DECLARATION PURSUANT TO  
FED.R.BANKR. 9077-1 IN SUPPORT OF ENTRY OF  
ORDER SCHEDULING HEARING ON SHORTENED  
NOTICE FOR HEARING ON BIDDING PROCEDURES  
AND SALE**

**JAMES B. GLUCKSMAN**, an attorney duly admitted to practice in the United States District Court for the Southern District of New York, declares, under penalty of perjury pursuant to 28 U.S.C. §1746 as follows:

1. On May 15, 2017, (the "Filing Date"), the Debtor filed a voluntary petition for reorganization pursuant to Chapter 11 of the Bankruptcy Code.
2. Thereafter the Debtor's proceeding was referred to your Honor for administration under the Bankruptcy Code.
3. The Debtor has continued as a debtor-in-possession pursuant to §1107 and 1108 of the Bankruptcy Code.
4. No trustee, examiner or statutory committee has been appointed
5. The Debtor is a restaurant located at 175 Lenox Avenue, New York, NY (the

“Premises”).

6. The Debtor previously entered into a lease (the “Lease”) of the Premises from Lenox NY, LLC (the “Landlord”).

7. This Declaration is submitted in behalf of the Debtor’s request for an expedited hearing on: a) bidding procedures; and b) sale of the Debtor’s restaurant.

8. The Debtor was forced to terminate business on or about September 24, 2017 because of difficulties with one of his suppliers.

9. Post-petition rent was paid for September 2017. However the Debtor paid has no revenues with which to pay any further post-petition rent.

10. The Debtor’s time within which to assume or reject its lease was extended through and including December 11, 2017 by order entered September 5, 2017.

11. The Court has no power to further extend this time.

12. In order to preserve the Debtor’s estate and prevent its further erosion by accruing claims for administrative rent it is crucial that the hearing on bidding procedures and the sale be accelerated appropriately.

I declare, pursuant to 28 U.S.C. §1746 that this statement is true and correct.

Dated: White Plains, New York  
November 6, 2017

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By: James B. Glucksman  
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